

PTO/SB/21 (03-03)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM
(to be used for all correspondence after initial filing)

Application Number 09/981,215
Filing Date 10/16/2001
First Named Inventor ALBRECHT
Art Unit 1648
Examiner Name SHANON A. FOLEY
Attorney Docket Number IN01344

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

- ☒ Fee Transmittal Form
☐ Fee Attached
☒ Amendment/Reply
☐ After Final
☐ Affidavits/declaration(s)
☒ Extension of Time Request
☐ Express Abandonment Request
☒ Information Disclosure Statement
☐ Certified Copy of Priority Document(s)
☐ Response to Missing Parts/Incomplete Application
☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
☐ Licensing-related Papers
☐ Petition
☐ Petition to Convert to a Provisional Application
☐ Power of Attorney, Revocation
☐ Change of Correspondence Address
☒ Terminal Disclaimer
☐ Request for Refund
☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
☐ Appeal Communication to Board of Appeals and Interferences
☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
☐ Proprietary Information
☐ Status Letter
☒ Other Enclosure(s) (please identify below):

RESPONSE TO NOTICE (W/4 ENCS), FORM 1449

5 REFERENCES, RETURN POST CARD

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual SCHERING-PLOUGH CORPORATION
PATENT DEPARTMENT, K-6-1-1990
THOMAS D. HOFFMAN REG. NO. 28, 221
Signature *Thomas D. Hoffman* Nov 12, 2003
Date NOVEMBER 12, 2003

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: _____

Typed or printed

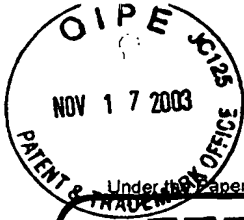
Signature

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 820.00

C mplete if Known

Application Number 09/981,215
Filing Date 10/16/2001
First Named Inventor ALBRECHT
Examiner Name SHANON A. FOLEY
Art Unit 1648
Attorney Docket No. IN01344

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

19-0365

Schering-Plough Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|------------------------|----------|
| 1001 770 | 2001 385 | Utility filing fee | |
| 1002 340 | 2002 170 | Design filing fee | |
| 1003 530 | 2003 265 | Plant filing fee | |
| 1004 770 | 2004 385 | Reissue filing fee | |
| 1005 180 | 2005 80 | Provisional filing fee | |

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent | -20** = | X | |
| Multiple Dependent | -3** = | X | |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|-------------------------------|-------------------------------|--|
| 1202 18 | 2202 9 | Claims in excess of 20 |
| 1201 86 | 2201 43 | Independent claims in excess of 3 |
| 1203 290 | 2203 145 | Multiple dependent claim, if not paid |
| 1204 86 | 2204 43 | ** Reissue independent claims over original patent |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|--|-------------------------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | \$420.00 |
| 1252 420 | 2252 210 | Extension for reply within second month | |
| 1253 950 | 2253 475 | Extension for reply within third month | |
| 1254 1,480 | 2254 740 | Extension for reply within fourth month | |
| 1255 2,010 | 2255 1,005 | Extension for reply within fifth month | |
| 1401 330 | 2401 165 | Notice of Appeal | |
| 1402 330 | 2402 165 | Filing a brief in support of an appeal | |
| 1403 290 | 2403 145 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 665 | Petition to revive - unintentional | |
| 1501 1,330 | 2501 665 | Utility issue fee (or reissue) | |
| 1502 480 | 2502 240 | Design issue fee | |
| 1503 640 | 2503 320 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | \$180.00 |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 770 | 2809 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 770 | 2810 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 770 | 2801 385 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |
| Other fee (specify) 2 TERMINAL DISCLAIMERS | | | \$220.00 |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 820.00

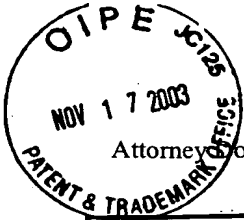
SUBMITTED BY

| Name (Print/Type) | THOMAS D. HOFFMAN | Registration No. (Attorney/Agent) | 28,221 | Telephone | 908-298-5037 |
|-------------------|-------------------|-----------------------------------|-------------|-----------|---------------|
| Signature | Thomas D. Hoffman | Date | NOV 12 2003 | Date | NOV. 12, 2003 |

WARNING: Information on this form may become public. Credit card information should not be included in this form. Provide credit card information and authorization in PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.: IN01344

PTO/SB/92 (08-03)

(Modified)

Application No.: 09/981,215

Filing Date: 10/16/2001

Applicant: JANICE K. ALBRECHT

Title: RIBAVIRIN-PEGYLATED INTERFERON ALFA INDUCTION HCV COMBINATION THERAPY

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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on November 12, 2003
Date


Signature

THOMAS D. HOFFMAN

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Documents enclosed:

| | |
|---|---|
| AMENDMENT (8 pages) | RESPONSE TO NOTICE(w/ floppy disc)(4 pages) |
| INFORMATION DISCLOSURE STATEMENT (2 pages) | EXTENSION OF TIME (2 mos. - 1 page) |
| USPTO FORM 1449 (1 page in duplicate) | CERTIFICATE OF MAILING (1 page) |
| FEE TRANSMITTAL SHEET (1 page in duplicate) | RETURN POST CARD |
| RESPONSE TRANSMITTAL SHEET (1 page) | |
| 2 TERMINAL DISCLAIMERS (1 page each) | |

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Patent Case No. IN01344

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

----- X
In re application of:

Janice K. Albrecht

: Examiner: To Be Assigned

For: RIBAVIRIN-PEGYLATED
INTERFERON ALFA
HCV COMBINATION THERAPY

Serial No.: 09/981,215

: Group Art Unit: 1619
:

Filed: 10/16/2001

:

----- X
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

RESPONSE TO NOTICE

This is in response to the NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES, dated 11/27/2001.

Applicant is enclosing herewith the following:


- (1) An initial computer readable form ("CRF") of the sequence listing;
- (2) A paper copy of the sequence listing;
- (3) A copy of the "NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING THE NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES"; and
- (4) An amendment requesting entry of the sequence listing into the specification.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on

January 28, 2002

Thomas D. Hoffman

Registered Representative

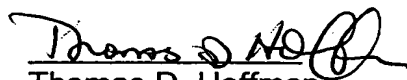

Signature

1/28/2002
Date

The undersigned attorney of record for the applicant hereby declares (1) that the content of the CRF of the sequence listing and the paper copy are the same and includes no new matter that goes beyond the disclosure set forth in the specification as originally filed and (2) that the undersigned is registered to practice before the U.S. Patent and Trademark Office.

The Assistant Commissioner for Patents is hereby authorized to debit our Deposit Account No. 19-0365 in any amount necessary to prevent abandonment of this application.

Respectfully submitted,

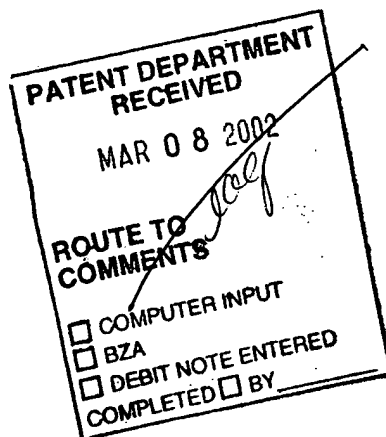


Thomas D. Hoffman
Attorney of Record for Applicant
Registration No. 28,221
Tel: 908-298-5037

1/28/2002

Date

Schering-Plough Corporation
Patent Department, K-6-1-1990
2000 Galloping Hill Road
Kenilworth, New Jersey 07033-0530



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Applicant: ALBRECHT
Serial No.: 09/981,215 Atty: TDH/ahl
Filed: 10/16/01 Case No: IN01344
For: RIBAVIRIN-PEGYLATED INTERFERON ALFA HCV
COMBINATION THERAPY

Enclosed:

- [] Application papers comprising:
[] Request for Filing Provisional Appln.
[] Request for Filing Patent Appln.

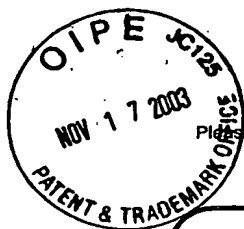
_____ pages of Specification
_____ pages of Claims
_____ pages of Abstract
_____ sheets of Drawing (formal/informal)

- [] Declaration/Power of Attorney
[] Transmittal letter
[x] Amendment (5 pages)
[] Notice of Appeal
[] Appeal Brief (in triplicate)
[] Petition for Extension of Time
[] Preliminary Amendment
[] Information Disclosure Statement
[] Form PTO 1449
[] References _____
[x] Response (2 pages)
[] Issue Fee Transmittal/parts B & C
[] Charge to Deposit Account No. 19-0365
in the amount of \$ _____

[x] Response Transmittal (1 page)
[x] Notice to Comply (2 pages)
[x] Floppy Disk/Sequence Listing (3 pages)
Date Mailed: January 28, 2002

Express Mail Label No.: _____





Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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| | | | |
|--|----------------------|------------------------|---------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Applicati n Number | 09/981,215 | |
| | Filing Date | 10/16/01 | |
| | First Named Inventor | ALBRECHT | |
| | Group Art Unit | 1619 | |
| | Examiner Name | TO BE ASSIGNED | |
| Total Number of Pages in This Submission | 13 | Attorney Docket Number | IN01344 |

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NOV 21 2003

| ENCLOSURES (check all that apply) | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) Sequence Listings Return Post Card Floppy Disk Response Notice to Comply w/ requirements |
| Remarks | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|--|
| Firm or Individual name | SCHERING-PLOUGH CORPORATION PATENT DEPARTMENT, K-6-1-1990 THOMAS D. HOFFMAN, REG. NO. 28,221 |
| Signature | <i>Thomas D Hoffman</i> 1/28/2002 |
| Date | January 28, 2002 |

| CERTIFICATE OF MAILING | |
|---|-----------------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: January 28, 2002 | |
| Typed or printed name | THOMAS D. HOFFMAN |
| Signature | <i>Thomas D Hoffman</i> 1/28/2002 |
| Date | January 28, 2002 |

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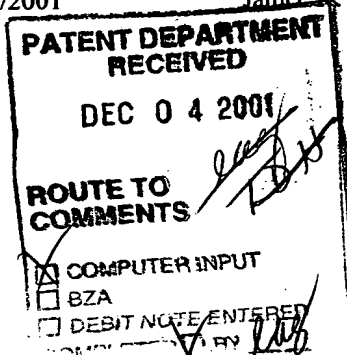


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/981,215 | 10/16/2001 | Janice K. Albrecht | IN01344 |

24265
SCHERING-PLOUGH CORPORATION
PATENT DEPARTMENT (K-6-1, 1990)
2000 GALLOPING HILL ROAD
KENILWORTH, NJ 07033-0530



CONFIRMATION NO. 5760

FORMALITIES LETTER



OC00000007121797

Date Mailed: 11/27/2001

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

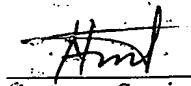
Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to read "Hind", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE